

EX PARTE OR LATE FILED

DOCKET FILE COPY ORIGINAL

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

Docket-File
Rm: 222
POLICY & PLANNING
DEPARTMENT

1 MAR 1993

IN REPLY REFER TO:
7330-7/1700A3

RECEIVED

MAR 12 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Alfonse D'Amato
United States Senate
Washington, D.C. 20510

Dear Senator D'Amato:

This is in reply to your letter of February 12, 1993, in which you inquired on behalf of your constituents, Gordon Kendall and Bernard S. Liquorman, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

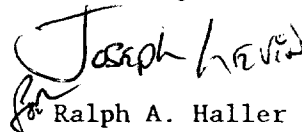
Messrs. Kendall and Liquorman are specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

In addition to 2 copies
of the copy

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituents' concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituents to file formal comments on all aspects of the proposals.

Sincerely,



Ralph A. Haller
Chief, Private Radio Bureau

Enclosures:
Notice
Order
Discussion paper

cc:
Chief, PRBureau
Chief, LM&M Divison
Docket Files, Room 222
P&P Branch File (Pink)

CNTL NO - 9300657

DFertig/RShiben:/ab/lm:PR

Congressional

DUE OBC: 2-25-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM
02/17/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300657	02/17/93	02/12/93	03/02/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Senator	Alfonse D'Amato	BC

CONSTITUENT'S NAME	SUBJECT
G Kendall & B Liquormaninq.	comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRB/LRM 2-18-93			
DATE	DATE	DATE	DATE
02/17/93			

REMARKS:

ALFONSE M. D'AMATO
NEW YORK

LEO O'BRIEN OFFICE BUILDING
ROOM 420
ALBANY, NY 12207
(518) 472-4343

United States Senate
WASHINGTON, DC 20510-3202

PRB
92-235
657

February 12, 1993

Congressional Liaison
Federal Communications Commission
2025 M Street, NW
Room 6202
Washington, D.C. 20554

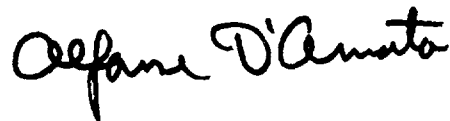
Dear Director:

Because of the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested.

PLEASE TRY TO RESPOND WITHIN 4 WEEKS OF YOUR RECEIPT OF THIS REQUEST. YOUR FINDINGS AND VIEWS, IN DUPLICATE, ALONG WITH RETURN OF THIS MEMO PLUS ENCLOSURE, WILL BE APPRECIATED.

Many thanks.

Sincerely,



Alfonse M. D'Amato
United States Senator

AD:amr

328 Masullo Parkway
Schenectady, New York 12306
February 10, 1993

The Honorable Alfonse D'Amato
U. S. Senator
Leo W. O'Brien Federal Building
Albany, New York 12207

Dear Senator D'Amato:

I have been interested in aviation for many years. I am very active in my local club. Being President of our club, I build, train, and have helped many people get started in R/C modeling and still do. I have been active for over 14 years. Hopefully, I can still carry on my hobby for many years to come.

About four or five years ago, the FCC made us change our radios to a narrow band. I had to convert and buy new equipment. It cost me over \$400.00 to remain active, flying my models and staying within the rules of the Academy of Model Aeronautics.

My investments are in excess of \$6,000.00, which includes nine aircraft. It takes on the average of four months to build just one plane. Now they want to make some change again. It probably will cost a lot of money, and make it more dangerous to fly my models.

I am very concerned about cost and safety to others. I do not want to kill or injure or damage other peoples property.

I am strongly against the proposed Rule PR Docket 92-235. Since the proposed new frequencies are so close, interference will occur and render most frequencies unusable.

Presently, I own five pieces of radio equipment that would be unusable if the FCC changes frequencies again. Five radios cost over \$1,000.00 and maybe more.

The FCC may not think we are as important as business users of radios. Our hobby is a large investment and provides many hours of enjoyment to thousands of people like myself.

Please help me continue the safe enjoyment of my favorite pastime. Please do not allow the FCC to carry out its proposals for the 72-76 MHz band.

Sincerely,



Gordon Kendall
President, Hilltop Flyers

84 West Willow Street
Beacon, N.Y. 12508
February 8, 1993

The Honorable Alfonse M. D'Amato
420 Leo O'Brien Federal Bldg.
Albany, N.Y. 12207

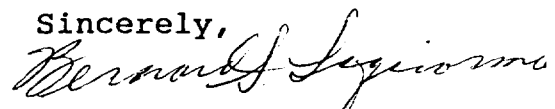
Dear Senator D'Amato:

I am writing in regard to a recent proposal submitted by the FCC (PR Docket 92-235) about which I am very concerned. I am active in a local Model Aircraft club having 115 members, who all share the hobby of Radio Control Model Aircraft building and flying. I have been flying for many years and have invested a good portion of my salary into the hobby. We currently operate our radios in the 72-76 Mhz band in conjunction with private mobile dispatch operations, however, historically our frequencies in this band are far enough apart to allow us the ability to share the band without interfering with each other. The new proposal by FCC would allow for more mobile dispatch operations by inserting new frequencies between the existing frequencies utilized by Radio Controlled aircraft and will ultimately lead to interference! Of the 50 frequencies now allocated for Model Aircraft use, over 30 of them would be eliminated due to severe interference.

As a club member and member of the National Academy Model Aeronautics (AMA), both I and my fellow modelers practice safe flying of our model aircraft. In the past two (2) years we have all converted our radio equipment to the new narrow bands set-up by the FCC, at considerable expense to us. I presently own seven (7) radio control systems representing several thousand dollars of investment in model aircraft and engines!

Please be aware that some of these models weigh up to 30 pounds and may travel at speeds of 60 M.P.H. The cost of the model is expensive, but more importantly, they could cause property damage or personal injury if control is lost due to radio interference which this new proposal surely guarantees! This wonderful and educational hobby has existed for many decades and is recognized world-wide. It is practiced by youths and adults alike, so please help us to continue this wonderful hobby in a safe manner by not allowing the FCC to carry-out this ill conceived proposal!

Sincerely,



Bernard S. Liquorman

BL/jms-fcc.ltr